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Department of State

TELEGRAM

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INFO OCT-01 IO-10 ISO-00 SS-15 SCA-01 JUSE-00 SSC-00 RSC-01

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DRAFTED BY L/M/SCA:HFSHAMWELL, JR:BKM
APPROVED BY M:LDBROWN
L/M/SCA:KEMALMBORG (DRAFT)
IO:ROBLAKE

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY *MAC/MA* DATE *3.13.81*

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

UNCLAS STATE 247109

E.O. 11652: N/A

TAGS: PFOR, UR, US, OPINS

SUBJECT: REQUEST FOR MISSION OFFICER'S TESTIMONY AT
VANCIER TRIAL

REF: USUN 4779

1. REFTEL REQUESTED DEPT'S PERMISSION FOR APPEARANCE BY
MISOFF KUTTNER TO TESTIFY IN U.S. DISTRICT COURT (SDNY)
AT VANCIER TRIAL. SUBJECT OF TESTIMONY WILL BE DIPLOMATIC
STATUS OF GERMAN KOSENKOV, SECOND SECRETARY, SMUN.

2. DEPT GENERALLY PREFERS SUBMISSION OF OUT-OF-COURT
STATEMENT FOR PURPOSE IN QUESTION. HOWEVER, IN VIEW OF
IMPORTANCE ATTACHED TO PROSECUTION THIS TYPE OF ACTIVITY
AIMED AT FOREIGN MISSIONS, DEPT SUPPORTS PERSONAL APPEAR-
ANCE IN THIS CASE.

3. IN ACCORDANCE WITH 5 FAM 485, DEPT AUTHORIZES APPEARANCE
BY MR. KUTTNER FOR PURPOSE STATED IN REFTEL AND AUTHORIZES
HIM TO TAKE WITH HIM, AS NECESSARY, ANY RECORDS OF MISSION
RELEVANT TO SUBSTANCE OF TESTIMONY. MAW

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